

Message

From: Stein, Jonathan [Stein.Jonathan@epa.gov]
Sent: 1/17/2018 1:55:39 PM
To: Ama Francis [ama.francis@YLSCLinics.org]; Biffl, Betsy [Biffl.Betsy@epa.gov]; McGhee, Debra [mcghee.debra@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Covington, Jeryl [Covington.Jeryl@epa.gov]
CC: Leah Aden (LAden@naacpldf.org) [laden@naacpldf.org]; Suzanne Novak [snovak@earthjustice.org]; Jonathan J. Smith [jjsmith@earthjustice.org]; Marianne Engelman-Lado [marianne.engelman-lado@YLSCLinics.org]; Yumehiko Hoshijima [yume.hoshijima@ylsclinics.org]
Subject: RE: Tallassee Title VI Complaint, Follow Up

Good Morning,

Thank you for the information Ama. We will review and be in further contact.

Best Regards,

Jonathan M. Stein
 Attorney Advisor
 Office of General Counsel – External Civil Rights Compliance Office
 U.S. Environmental Protection Agency
 1200 Pennsylvania Avenue, N.W. | Mailcode 2310A | Washington, DC 20460

202/564-2088 | Stein.Jonathan@epa.gov

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Please consider the environment before printing this email.

From: Ama Francis [mailto:ama.francis@YLSCLinics.org]
Sent: Tuesday, January 16, 2018 10:30 PM
To: Stein, Jonathan <Stein.Jonathan@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
Cc: Leah Aden (LAden@naacpldf.org) <laden@naacpldf.org>; Suzanne Novak <snovak@earthjustice.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Marianne Engelman-Lado <marianne.engelman-lado@YLSCLinics.org>; Yumehiko Hoshijima <yume.hoshijima@ylsclinics.org>
Subject: Re: Tallassee Title VI Complaint, Follow Up

Dear Debra, Betsy, Dale, and Jonathan,

As requested during our calls on November 8 and 13, please find the documents listed below available for download here: https://files.yale.edu/public_download?shareId=651d7c8b34a998f7076933457a62d8f4. The password for access to the documents is Tallassee2018. Please note that the file share link will expire on February 15, 2020.

- Water survey documents dated August/September 2000;
- Photos of vultures in Stone's Throw Landfill taken by [Ex. 6 Personal Privacy (PP)] on June 24, 2017;
- Underlying community surveys. Note that a summary of the takeaways from these surveys and an explanation of how this information was collected is included in a letter to your office dated September 16, 2016, which can be found [here](#). The information in these surveys is intended as a starting place for further investigation, and we particularly suggest that you interview the following people to the extent that they are willing to be interviewed. Please let us know if you are interested and we would be happy to help coordinate any such conversation:
 - [Ex. 6 Personal Privacy (PP)] who can speak to the depreciation in her property value, respiratory problems, and attacks by buzzards;
 - [Ex. 6 Personal Privacy (PP)] who spends \$100/month for access to public water, \$30/month on bottled water, and has experienced gallbladder disease possibly related to drinking contaminated water;
- A declaration from Michael Cunningham, a longtime community member and landowner;
- Audio recording of the threatening phone call Phyllis Gosa received on or around May 2017—again, as we mentioned, the recording is difficult to hear, though perhaps it might be possible to enhance the sound;
- Photos of a car that left the Stone's Throw Landfill and proceeded to circle around members of the Ashurst Bar/Smith Community Organization, Marianne Engelman Lado and Leah Aden, who were standing across from the Landfill during a site visit in August, 2016, and then returned to the Landfill, in follow up to our discussion about intimidation.

We will also be in contact with additional documentation in follow up to the November 8 and 13 calls as these materials become available to us.

Finally, we are formally requesting, once again, that ECRCO visit the Ashurst-Bar/Smith Community. As we've previously expressed in prior correspondence with your office (see, e.g., Sept. 16, 2016 letter at 2, http://www.naacpldf.org/files/about-us/Letter_to_Ms_Biffi_EPA_November_2016.pdf), we strongly believe that conducting an on-the-ground investigation will allow your team to experience the cumulative effects of Stone's Throw Landfill that our clients suffer daily, as well as provide you with a critical perspective on the lack of civil rights enforcement in Alabama.

Please do not hesitate to contact us if your team requires additional information.

Sincerely,

Ama Francis

From: Stein, Jonathan <Stein.Jonathan@epa.gov>
Sent: Monday, November 13, 2017 6:04:14 PM
To: Yumehiko Hoshijima; Biffl, Betsy; McGhee, Debra; Rhines, Dale
Cc: Leah Aden (LAden@naacpldf.org); Suzanne Novak; Jonathan J. Smith; Marianne Engelman-Lado; Ama Francis
Subject: RE: Tallassee Title VI Complaint, Follow Up

Yume-

It should be the same one as today. I will have to double check with our administrative assistant to make sure another meeting isn't using it at that time when I arrive in the morning, as she has already left for the evening. Either way, I will advise you first thing in the morning upon my arrival.

Best Regards,

Jonathan M. Stein

Attorney Advisor

Office of General Counsel – External Civil Rights Compliance Office

U.S. Environmental Protection Agency

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Please consider the environment before printing this email.

From: Yumehiko Hoshijima [<mailto:yume.hoshijima@ylsclinics.org>]
Sent: Monday, November 13, 2017 5:53 PM
To: Stein, Jonathan <Stein.Jonathan@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; McGhee, Debra

<mcghee.debra@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>

Cc: Leah Aden (LAden@naacpldf.org) <laden@naacpldf.org>; Suzanne Novak <snovak@earthjustice.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Marianne Engelman-Lado <marianne.engelman-lado@YLSCLinics.org>; Ama Francis <ama.francis@YLSCLinics.org>

Subject: RE: Tallassee Title VI Complaint, Follow Up

Dear Jonathan,

In our understanding Ex. 6 Personal Privacy (PP) should be able to make tomorrow at 10 AM Eastern (9 Central).

A few members of our legal team will be joining the call. Can you please provide a conference call number?

Yours,

Yume

From: Stein, Jonathan [<mailto:Stein.Jonathan@epa.gov>]

Sent: Monday, November 13, 2017 15:57

To: Yumehiko Hoshijima <yume.hoshijima@ylsclinics.org>; Biffl, Betsy <Biffl.Betsy@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>

Cc: Leah Aden (LAden@naacpldf.org) <laden@naacpldf.org>; Suzanne Novak <snovak@earthjustice.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Marianne Engelman-Lado <marianne.engelman-lado@YLSCLinics.org>; Ama Francis <ama.francis@YLSCLinics.org>

Subject: RE: Tallassee Title VI Complaint, Follow Up

Yume,

I am able to interview Ex. 6 Personal Privacy (PP) tomorrow morning. I should be available at 10AM (9 Central) to call her, or 10:30 if need be.

Best Regards,

Jonathan M. Stein

Attorney Advisor

Office of General Counsel — External Civil Rights Compliance Office

U.S. Environmental Protection Agency

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Please consider the environment before printing this email.

From: Yumehiko Hoshijima [<mailto:yume.hoshijima@ylsclinics.org>]
Sent: Monday, November 13, 2017 3:38 PM
To: Biffl, Betsy <Biffl.Betsy@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>
Cc: Leah Aden (LAden@naacpldf.org) <laden@naacpldf.org>; Suzanne Novak <snovak@earthjustice.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Marianne Engelman-Lado <marianne.engelman-lado@YLSCLinics.org>; Ama Francis <ama.francis@YLSCLinics.org>
Subject: Tallassee Title VI Complaint, Follow Up

Dear Debra, Betsy, and Jonathan,

This email follows up to ECRCO's interview with Ex. 6 Personal Privacy (PP) last week and, particularly, ECRCO's request to speak with Ex. 6 Personal Privacy (PP) who drives the school bus that serves the Ashurst Bar/Smith community.

Although Ex. 6 Personal Privacy (PP) is not available for the 4 P.M. Eastern/3 P.M. Central interview today, it is our understanding that Ex. 6 Personal Privacy (PP) can be available to speak tomorrow, November 13, from 9 A.M. – 1 P.M. Central (10 A.M. – 2 P.M. Eastern). Ex. 6 Personal Privacy (PP) works two jobs, and it is unusual for her to be free during working hours.

We understand that this is short notice, and we can also explore Ex. 6 Personal Privacy (PP) availability in the coming two weeks. Please let us know.

Yours,

Yume

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Yume Hoshijima

Student, Yale Law School Environmental Justice Clinic

Ex. 6 Personal Privacy (PP)